

Note: Any change in the FCC Identifier desired as a result of such production or marketing agreement will require the filing of a new application for an equipment authorization as specified in Section 2.933.

(2) The grantee of the equipment authorization shall continue to be responsible to the Commission for the equipment produced pursuant to such an agreement.

(c) Whenever there is a change in the name and/or address of the grantee of an equipment authorization, written notice of such change(s) shall be submitted to the Commission within 30 days after the grantee starts using the new name and/or address.

(d) In the case of transactions affecting the grantee, such as a transfer of control or sale to another company, mergers, or transfer of manufacturing rights, notice must be given to the Commission in writing within 60 days after the consummation of the transaction. Depending on the circumstances in each case, the Commission may require new applications for equipment authorization. In reaching a decision the Commission will consider whether the acquiring party can adequately ensure and accept responsibility for continued compliance with the regulations. In general, new applications for each device will not be required. A single application for equipment authorization may be filed covering all the affected equipment.

23. Section 2.931 is revised to read as follows:

Section 2.931 *Responsibility of the grantee.*

In accepting a grant of an equipment authorization, the grantee warrants that each unit of equipment marketed under such grant and bearing the identification specified in the grant will conform to the unit that was measured and that the data (design and rated operational characteristics) filed with the application for certification continues to be representative of the equipment being produced under such grant within the variation that can be expected due to quantity production and testing on a statistical basis.

24. Section 2.932 is amended to read as follows:

Section 2.932 *Modification of equipment.*

(a) A new application for an equipment authorization shall be filed whenever there is a change in the design, circuitry or construction of an equipment or device for which an equipment authorization has been issued, except as provided in paragraphs (b) through (d).

(b) Permissive changes may be made in certificated equipment, and equipment that was authorized under the former type acceptance procedure, pursuant to § 2.1043.

(c) Permissive changes may be made in equipment that was authorized under the former notification procedure without submittal of information to the Commission, unless the equipment is currently subject to authorization under the certification procedure. However, the grantee shall submit information documenting continued compliance with the pertinent requirements upon request.

(d) All requests for permissive changes submitted to the Commission must be accompanied by the anti-drug abuse certification required under § 1.2002 of this chapter.

25. Section 2.933 is revised to read as follows:

*Section 2.933 Change in identification of equipment.*

(a) A new application for equipment authorization shall be filed whenever there is a change in the FCC Identifier for the equipment with or without a change in design, circuitry or construction. However, a change in the model/type number or trade name performed in accordance with the provisions in § 2.924 of this chapter is not considered to be a change in identification and does not require additional authorization from the Commission.

(b) An application filed pursuant to paragraph (a) of this section where no change in design, circuitry or construction is involved, need not be accompanied by a resubmission of equipment or measurement or test data customarily required with a new application, unless specifically requested by the Commission. In lieu thereof, the applicant shall attach a statement setting out:

- (1) The original identification used on the equipment prior to the change in identification.
- (2) The date of the original grant of the equipment authorization.
- (3) How the equipment bearing the modified identification differs from the original equipment.
- (4) Whether the original test results continue to be representative of and applicable to the equipment bearing the changed identification.

(5) The photographs required by § 2.1033(b)(7) or § 2.1033(c)(12) showing the exterior appearance of the equipment, including the operating controls available to the user and the identification label. Photographs of the construction, the component placement on the chassis, and the chassis assembly are not required to be submitted unless specifically requested by the Commission.

(c) If the change in the FCC Identifier also involves a change in design or circuitry which falls outside the purview of a permissive change described in § 2.1043, a complete application shall be filed pursuant to § 2.911.

26. Section 2.934 is deleted.

27. Section 2.935 is deleted.

28. Section 2.938 is amended by revising paragraph (c), to read as follows:

Section 2.938 *Retention of records.*

\* \* \* \* \*

(c) The records listed in paragraph (a) of this section shall be retained for one year for equipment subject to authorization under the certification procedure or former type acceptance procedure, or for two years for equipment subject to authorization under any other procedure, after the manufacture of said equipment has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the responsible party (or, under paragraph (b) of this section, the manufacturer) is officially notified that an investigation or any other administrative proceeding involving its equipment has been instituted.

\* \* \* \* \*

29. Section 2.943, paragraph (a) is amended by deleting the reference to type acceptance and notification.

30. Section 2.946 is revised to read as follows:

Section 2.946 *Penalty for failure to provide test samples and data.*

(a) Any responsible party, as defined in § 2.909, or any party who markets equipment subject to the provisions of this chapter, shall provide test sample(s) or data upon request by the Commission. Failure to comply with such a request within 14 days may be cause for forfeiture, pursuant to § 1.80 of this chapter, or other administrative sanctions such as suspending action on any applications for equipment authorization submitted by such party while the matter is being resolved.

(b) The Commission may consider extensions of time upon submission of a showing of good cause.

31. Section 2.948, paragraph (a)(2) is amended by deleting the reference to notification.

32. The title "Notification" preceding Section 2.971 is deleted,

33. Section 2.971 is deleted.

34. Section 2.973 is deleted.

35. Section 2.975 is deleted.

36. Section 2.977 is deleted.

37.- The title "Type Acceptance" preceding Section 2.981 is deleted.

38. Section 2.981 is deleted.

39. Section 2.983 is deleted.

40. Section 2.985 is renumbered as Section 2.1046, and the reference to Section 2.983(d)(5) in paragraph (a) is changed to reference Section 2.1033(c)(8).

41. Section 2.987 is renumbered as Section 2.1047, and the reference to Section 2.989 in paragraph (c) is changed to reference Section 2.1049.

42. Section 2.989 is renumbered as Section 2.1049.

43. Section 2.991 is renumbered as Section 2.1051, and the reference to Section 2.989 is changed to reference Section 2.1049.

44. Section 2.993 is renumbered as Section 2.1053, and the reference to Section 2.989 is changed to reference Section 2.1049..

45. Section 2.995 is renumbered as Section 2.1055.

46. Section 2.997 is renumbered as Section 2.1057, and the references to Sections 2.991 and 2.993 in paragraph (a) are changed to reference Sections 2.1051 and 2.1053.

47. Section 2.999 is deleted.

48. Section 2.1001 is deleted.

49. Section 2.1005 is deleted.

50. Section 2.1033 is revised to read as follows:

Section 2.1033 *Application for Certification*

(a) An application for certification shall be filed on FCC Form 731 with all questions answered. Items that do not apply shall be so noted.

(b) Applications for equipment operating under Parts 11, 15 and 18 of the rules shall be accompanied by a technical report containing the following information:

(1) The full name and mailing address of the manufacturer of the device and the applicant for certification.

(2) FCC identifier.

(3) A copy of the installation and operating instructions to be furnished the user. A draft copy of the instructions may be submitted if the actual document is not available. The actual document shall be furnished to the FCC when it becomes available.

(4) A brief description of the circuit functions of the device along with a statement describing how the device operates. This statement should contain a description of the ground system and antenna, if any, used with the device.

(5) A block diagram showing the frequency of all oscillators in the device. The signal path and frequency shall be indicated at each block. The tuning range(s) and intermediate frequency(ies) shall be indicated at each block. A schematic diagram is also required for intentional radiators.

(6) A report of measurements showing compliance with the pertinent FCC technical requirements. This report shall identify the test procedure used (e.g., specify the FCC test procedure, or industry test procedure that was used), the date the measurements were made, the location where the measurements were made, and the device that was tested (model and serial number, if available). The report shall include sample calculations showing how the measurement results were converted for comparison with the technical requirements.

(7) A sufficient number of photographs to clearly show the exterior appearance, the construction, the component placement on the chassis, and the chassis assembly. The exterior views shall show the overall appearance, the antenna used with the device (if any), the controls available to the user, and the required identification label in sufficient detail so that the name and FCC identifier can be read. In lieu of a photograph of the label, a sample label (or facsimile thereof) may be submitted together with a sketch showing where this label will be placed on the equipment. Photographs shall be of size A4 (21 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm). Smaller photographs may be submitted provided they are sharp and clear, show the necessary detail, and are mounted on A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) paper. A sample label or facsimile together with the sketch showing the placement of this label shall be on the same size paper.

(8) If the equipment for which certification is being sought must be tested with peripheral or accessory devices connected or installed, a brief description of those peripherals or accessories. The peripheral or accessory devices shall be unmodified, commercially available equipment.

(9) For equipment subject to the provisions of Part 15 of this chapter, the application shall indicate if the equipment is being authorized pursuant to the transition provisions in section 15.37 of this chapter.

(10) Applications for the certification of direct sequence spread spectrum transmitters under Part 15 shall be accompanied by an exhibit demonstrating compliance with the processing gain provisions of §15.247(e) of this chapter. Applications for the certification of frequency hopping transmitters under Part 15 shall be accompanied by an exhibit describing compliance of the associated receiver or receivers with Section 15.247(a)(1) of this chapter.

(11) Applications for the certification of scanning receivers shall include a statement describing the methods used to comply with the design requirements of § 15.121(a) of this chapter or the marketing requirements of § 15.121(b) of this chapter.

(c) Applications for equipment other than that operating under Parts 15 and 18 of the rules shall be accompanied by a technical report containing the following information:

(1) The full name and mailing address of the manufacturer of the device and the applicant for certification.

(2) FCC identifier.

(3) A copy of the installation and operating instructions to be furnished the user. A draft copy of the instructions may be submitted if the actual document is not available. The actual document shall be furnished to the FCC when it becomes available.

(4) Type or types of emission.

(5) Frequency range.

(6) Range of operating power values or specific operating power levels, and description of any means provided for variation of operating power.

(7) Maximum power rating as defined in the applicable part(s) of the rules.

(8) The dc voltages applied to and dc currents into the several elements of the final radio frequency amplifying device for normal operation over the power range.

(9) Tune-up procedure over the power range, or at specific operating power levels.

(10) A schematic diagram and a description of all circuitry and devices provided for determining and stabilizing frequency, for suppression of spurious radiation, for limiting modulation, and for limiting power.

(11) A photograph or drawing of the equipment identification plate or label showing the information to be placed thereon.

(12) Photographs (8" x 10") of the equipment of sufficient clarity to reveal equipment construction and layout, including meters, if any, and labels for controls and meters and sufficient views of the internal construction to define component placement and chassis assembly. Insofar as these requirements are met by photographs or drawings contained in instruction manuals supplied with the certification request, additional photographs are necessary only to complete the required showing.

(13) For equipment employing digital modulation techniques, a detailed description of the modulation system to be used, including the response characteristics (frequency, phase and amplitude) of any filters provided, and a description of the modulating wavetrain, shall be submitted for the maximum rated conditions under which the equipment will be operated.

(14) The data required by Sections 2.1046 through 2.1057, inclusive, measured in accordance with the procedures set out in Section 2.1041.

(15) The application for certification of an external radio frequency power amplifier under Part 97 of this chapter need not be accompanied by the data required by Paragraph (b)(14) of this section. In lieu thereof, measurements shall be submitted to show compliance with the technical specifications in Subpart C of Part 97 of this chapter and such information as required by Section 2.1060 of this part.

(16) An application for certification of an AM broadcast stereophonic exciter-generator intended for interfacing with existing certified, or formerly type accepted or notified transmitters must include measurements made on a complete stereophonic transmitter. The instruction book must include complete specifications and circuit requirements for interconnecting with existing transmitters. The instruction book must also provide a full description of the equipment and measurement procedures to monitor modulation and to verify that the combination of stereo exciter-generator and transmitter meet the emission limitations of section 73.44.

(17) A single application may be filed for a composite system that incorporates devices subject to certification under multiple rule parts, however, the appropriate fee must be included for each device. Separate applications must be filed if different FCC Identifiers will be used for each device.

51. Section 2.1041 is revised to read as follows:

Section 2.1041 Measurement Procedures



For equipment operating under Parts 15 and 18, the measurement procedures are specified in the rules governing the particular device for which certification is requested. For equipment operating in the authorized radio services, measurements are required as specified in §§ 2.1046, 2.1047, 2.1049, 2.1051, 2.1053, 2.1055 and 2.1057. See also § 2.947.

52. Section 2.1043 is amended to read as follows:

Section 2.1043 *Changes in certificated equipment.*

(a) Changes to the basic frequency determining and stabilizing circuitry (including clock or data rates), frequency multiplication stages, basic modulator circuit or maximum power or field strength ratings shall not be performed without application for and authorization of a new grant of certification. Variations in electrical or mechanical construction, other than these indicated items, are permitted provided the variations either do not affect the characteristics required to be reported to the Commission or the variations are made in compliance with the other provisions of this section.

(b) Two classes of permissive changes may be made in certificated equipment without requiring a new application for and grant of certification. Neither class of change shall result in a change in identification.

(1) - A Class I permissive change includes those modifications in the equipment which do not degrade the characteristics reported by the manufacturer and accepted by the Commission when certification is granted. No filing with the Commission is required for a Class I permissive change.

(2) A Class II permissive change includes those modifications which degrade the performance characteristics as reported to the Commission at the time of the initial certification. Such degraded performance must still meet the minimum requirements of the applicable rules. When a Class II permissive change is made by the grantee, the grantee shall supply the Commission with complete information and the results of tests of the characteristics affected by such change. The modified equipment shall not be marketed under the existing grant of certification prior to acknowledgement by the Commission that the change is acceptable.

(3) Except as specified below, permissive changes, as detailed above, shall be made only by the holder of the grant of certification. Changes by any party other than the grantee require a new application for and grant of certification.

(c) A grantee desiring to make a change other than a permissive change shall file an application on FCC Form 731 accompanied by the required fees. The grantee shall attach a description of the change(s) to be made and a statement indicating whether the change(s) will be made in all units (including previous production) or will be made only in those units produced after the change is authorized.

(d) A modification which results in a change in the identification of a device with or without change in circuitry requires a new application for, and grant of certification. If the changes affect the characteristics required to be reported, a complete application shall be filed. If the characteristics required to be reported are not changed the abbreviated procedure of section 2.933 may be used.

(e) Equipment that has been certificated or formerly type accepted for use in the Amateur Radio Service pursuant to the requirements of Part 97 of this chapter may be modified without regard to the conditions specified in Paragraph (b) of this section, provided the following conditions are met:

(1) Any person performing such modifications on equipment used under Part 97 of this chapter must possess a valid amateur radio operator license of the class required for the use of the equipment being modified.

(2) Modifications made pursuant to this paragraph are limited to equipment used at licensed amateur radio stations.

(3) Modifications specified or performed by equipment manufacturers or suppliers must be in accordance with the requirements set forth in Paragraph (b) of this section.

(4) Modifications specified or performed by licensees in the Amateur Radio Service on equipment other than that at specific licensed amateur radio stations must be in accordance with the requirements set forth in Paragraph (b) of this section.

(5) The station licensee shall be responsible for ensuring that modified equipment used at his station will comply with the applicable technical standards in Part 97 of this chapter.

(f) For equipment other than that operating under Parts 15 or 18, when a Class II permissive change is made by other than the grantee of certification, the information and data specified in paragraph (b)(2) of this section shall be supplied by the person making the change.

The modified equipment shall not be operated under an authorization of the Commission prior to acknowledgement by the Commission that the change is acceptable.

(g) The interconnection of a certificated or formerly type accepted AM broadcast stereophonic exciter-generator with a certificated or formerly type accepted AM broadcast transmitter in accordance with the manufacturer's instructions and upon completion of measurements showing that the modified transmitter meets the emission limitation requirements of section 73.44 is defined as a Class I permissive change for compliance with this section.

(h) The interconnection of a multiplexing exciter with a certificated or formerly type accepted AM broadcast transmitter in accordance with the manufacturer's instructions without electrical or mechanical modification of the transmitter circuits and completion of equipment performance measurements showing the transmitter meets the minimum performance requirements applicable thereto is defined as a Class I permissive change for compliance with this section.

(i) The addition of TV broadcast subcarrier generators to a certificated or formerly type accepted TV broadcast transmitter or the addition of FM broadcast subcarrier generators to a type accepted FM broadcast transmitter, provided the transmitter exciter is designed for subcarrier operation without mechanical or electrical alterations to the exciter or other transmitter circuits.

(j) The addition of TV broadcast stereophonic generators to a certificated or formerly type accepted TV broadcast transmitter or the addition of FM broadcast stereophonic generators to a certificated or formerly type accepted FM broadcast transmitter, provided the transmitter exciter is designed for stereophonic sound operation without mechanical or electrical alterations to the exciter or other transmitter circuits.

(k) The addition of subscription TV encoding equipment for which the FCC has granted advance approval under the provisions of Section 2.1400 in Subpart M and Section 73.644(c) of Part 73 to a certificated or formerly type accepted transmitter is considered a Class I permissive change.

(l) Notwithstanding the provisions of this section, broadcast licensees or permittees are permitted to modify certificated or formerly type accepted equipment pursuant to Section 73.1690 of the FCC's Rules.

53. A new Section 2.1060 is added to read as follows:

Section 2.1060 *Equipment for use in the Amateur Radio Service.*

(a) The general provisions of §§ 2.925, 2.1031, 2.1033, 2.1041, 2.1043, 2.1051, 2.1053 and 2.1057 shall apply to applications for, and grants of, certification for equipment operated under the requirements of Part 97 of this chapter, the Amateur Radio Service.

(b) When performing the tests specified in §§ 2.1051 and 2.1053 of this part, the center of the transmitted bandwidth shall be within the operating frequency band by an amount equal to 50 percent of the bandwidth utilized for the tests. In addition, said tests shall be made on at least one frequency in each of the bands within which the equipment is capable of tuning.

(c) Any supplier of an external radio frequency power amplifier kit as defined by § 97.3(a)(17) of this chapter shall comply with the following requirements:

(1) Assembly of one unit of a specific type shall be made in exact accordance with the instructions being supplied with the product being marketed. If all of the necessary components are not normally furnished with the kit, assembly shall be made using the recommended components.

(2) The measurement data required for certification shall be obtained for this unit and submitted with the certification application. Unless otherwise requested, it is not necessary to submit this unit with the application.

(3) - A copy of the exact instructions which will be provided for assembly of the equipment shall be provided in addition to other material required by section 2.1033 of this part.

(4) The identification label required by § 2.925 of this part shall be permanently affixed to the assembled unit and shall be of sufficient size so as to be easily read. The following information shall be shown on the label:

(Name of Grantee of Certification)

FCC ID: (The number assigned to the equipment  
by the grantor)

This amplifier can be expected to comply with part 97  
of the FCC Regulations when assembled and aligned in strict  
accordance with the instruction manual using components  
with the kit or an exact equivalent thereof.

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(Title and signature of responsible representative of  
Grantee)

Statement of Compliance

I state that I have constructed this equipment in  
accordance with the instruction manual and using the parts  
furnished by the supplier of this kit.

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(Signature)  
(Date)

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(Amateur call sign) (Class of license)

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(Expiration date of license)

To be signed by the person responsible for proper  
assembly of kit.)

(5) If requested, an unassembled unit shall be provided for assembly and test by the Commission. Shipping charges to and from the Commission's Laboratory shall be borne by the applicant.

(d) Certification of external radio frequency power amplifiers and amplifier kits may be denied when denial serves the public interest, convenience and necessity by preventing the use of these amplifiers in services other than the Amateur Radio Service. Other uses of these amplifiers, such as in the Citizens Band Radio Service, are prohibited (§ 95.411 of this chapter). Examples of features which may result in the denial of certification are contained in § 97.317 of this chapter.

Part 5 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 5--EXPERIMENTAL RADIO SERVICES (OTHER THAN BROADCAST)**

54. The authority citation for Part 5 continues to read as follows:

**Authority:** Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081, as amended; 47 U.S.C. 301.

55. Section 5.108, paragraph (a) is amended by changing the term "type accepted" to "verified".

56. Section 5.109 is revised to read as follows:

Section 5.109 *Acceptability of transmitters for licensing.*

All transmitters used at stations licensed for wildlife and ocean buoy tracking and telemetering operations pursuant to § 5.108 shall be verified pursuant to subpart J of part 2 of this chapter.

Part 15 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **Part 15 -- RADIO FREQUENCY DEVICES**

57. The authority citation for Part 15 continues to read as follows:

**AUTHORITY:** Sec. 4, 302, 303, 304, 307 and 624A of the Communications Act of 1934, as amended, 47 U.S.C. 154, 302, 303, 304, 307 and 544A.

58. Section 15.19, paragraph (a) introductory text is amended by deleting the reference to notification.

59. Section 15.25, paragraph (b) introductory text is amended by replacing the term "notified" with "authorized under the Declaration of Conformity procedure".

60. Section 15.25, paragraph (b)(2) is amended by changing the term "notification" with "Declaration of Conformity". Paragraph (c) is amended by deleting the words "or notification".

61. Section 15.31, paragraphs (b) is amended by deleting the term "notification or". Paragraph (f)(3) is amended by changing the term "notification" to "Declaration of Conformity".

62. Section 15.35, paragraph (c) is amended by changing the term "notification" to "Declaration of Conformity".

63. Section 15.101, paragraphs (a) and (b) are revised to read as follows:

Section 15.101 *Equipment authorization of unintentional radiators.*

(a) Except as otherwise exempted in §§ 15.23, 15.103, and 15.113, unintentional radiators shall be authorized prior to the initiation of marketing, as follows:

Type of device	Equipment authorization required
TV broadcast receiver.....	Verification
FM broadcast receiver.....	Verification
CB receiver.....	Declaration of Conformity or Certification
Superregenerative receiver.....	Declaration of Conformity or Certification
Scanning receiver.....	Certification
All other receivers subject to part 15.....	Declaration of Conformity or Certification
TV interface device.....	Declaration of Conformity or Certification
Cable system terminal device.....	Declaration of Conformity
Stand-alone cable input selector switch.....	Verification
Class B personal computers and peripherals..	Declaration of Conformity or Certification.
CPU boards and internal power supplies used with Class B personal computers	Declaration of Conformity or Certification.
Class B personal computers assembled using authorized CPU boards or power supplies.	Declaration of Conformity
Class B external switching power supplies....	Verification.
Other Class B digital devices & peripherals..	Verification.
Class A digital devices, peripherals & external switching power supplies.	Verification.

All other devices.....	Verification
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Note: Where the above table indicates more than one category of authorization for a device, the party responsible for compliance has the option to select the type of authorization.

(b) Only those receivers that operate (tune) within the frequency range of 30-960 MHz and CB receivers are subject to the authorizations shown in paragraph (a) of this section. However, receivers indicated as being subject to Declaration of Conformity that are contained within a transceiver, the transmitter portion of which is subject to certification, shall be authorized under the verification procedure. Receivers operating above 960 MHz or below 30 MHz, except for CB receivers, are exempt from complying with the technical provisions of this part but are subject to § 15.5.

\* \* \* \* \*

64. Section 15.214, paragraph (a) is amended by changing the last sentence to read, "The application shall include a fee for certification of each type of transmitter and for certification, if appropriate, for each type of receiver included in the system."

Part 18 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 18--INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT**

65. The authority citation for Part 18 continues to read as follows:

**Authority:** 47 U.S.C. 4, 301, 302, 303, 304, 307.

66. Section 18.203, paragraph (a) is revised to read as follows:

Section 18.203 *Equipment authorization.*

(a) Consumer ISM equipment, unless otherwise specified, must be authorized under either the Declaration of Conformity or certification procedure prior to use or marketing. An application for certification shall be filed with the Commission on an FCC Form 731, pursuant to the relevant sections in part 2, subpart J of this chapter and shall also be accompanied by:

(1) A description of measurement facilities pursuant to § 2.948, or reference to such information already on file with the Commission.

(2) A technical report pursuant to §§ 18.207 and 18.311.



\* \* \* \* \*

67. Section 18.205 is deleted.

68. Section 18.207, paragraph (a) is amended by changing "§ 18.205" to "§ 2.948" in the first sentence.

69. Section 18.209 is revised to read as follows:

**Section 18.209 Identification of authorized equipment.**

(a) Each device for which a grant of equipment authorization is issued under this part shall be identified pursuant to the applicable provisions of subpart J of part 2 of this chapter. Changes in the identification of authorized equipment may be made pursuant to § 2.933 of part 2 of this chapter. FCC Identifiers as described in §§ 2.925 and 2.926 of this chapter shall not be used on equipment subject to verification or Declaration of Conformity.

(b) Devices authorized under the Declaration of Conformity procedure shall be labelled with the logo shown below. The label shall not be a stick-on, paper label. It shall be permanently affixed to the product and shall be readily visible to the purchaser at the time of purchase, as described in § 2.925(d) of this chapter. "Permanently affixed" means that the label is etched, engraved, stamped, silkscreened, indelibly printed, or otherwise permanently marked on a permanently attached part of the equipment or on a nameplate of metal, plastic, or other material fastened to the equipment by welding, riveting, or a permanent adhesive. The label must be designed to last the expected lifetime of the equipment in the environment in which the equipment may be operated and must not be readily detachable.



70. A new Section 18.212 is added to read as follows:

**Section 18.212 Compliance information**

(a) Equipment authorized under the Declaration of Conformity procedure shall include the following compliance information in lieu of the information required by § 2.1077.

(1) Identification of the product, *e.g.*, name and model number

(2) A statement similar to the following:

*This device complies with Part 18 of the FCC Rules*

(3) The name and address of the responsible party as defined in § 2.909 of the rules. This party must be located within the United States.

(b) The compliance information may be placed in the instruction manual, on a separate sheet, or on the packaging. There is no specific format for this information.

Part 21 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 21--DOMESTIC PUBLIC FIXED RADIO SERVICES**

71. The authority section for Part 21 continues to read as follows:

**Authority:** Secs. 1, 2, 4, 201-205, 208, 215, 218, 303, 307, 313, 403, 404, 410, 602, 48 Stat. as amended, 1064, 1066, 1070-1073, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 154, 201-205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 602; 47 U.S.C. 552, 554.

72. Section 21.42, paragraph (c)(1)(i) is amended by changing the term "type accepted" to "certificated", and deleting the term "type notified".

73. Section 21.120, paragraph (a) is amended by changing the term "type accepted" to "certificated". Paragraphs (b) and (c) are amended by changing the term "type acceptance or notification" to "certification" and removing the last sentence in each of paragraphs (b) and (c).

74. Section 21.907, paragraphs (c) and (d) are amended by changing the term "type-accepted" to "certificated".

Part 22 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 22--PUBLIC MOBILE SERVICES**

75. The authority section for Part 22 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, unless otherwise noted.

76. Section 22.99, the definition of emission mask is amended by changing the term "type acceptance" to "certification".

77. Section 22.377, the title, introductory text, paragraphs (a), (b) and (d) are amended by changing the term "type acceptance" to "certification" and the term "type accepted" to "certificated". Paragraph (c) is deleted, and paragraph (d) is redesignated as paragraph (c).

78. Section 22.379 is amended by changing the term "type accepted" to "certificated".

Part 24 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 24--PERSONAL COMMUNICATIONS SERVICES**

79. The authority section for Part 24 continues to read as follows:

**Authority:** 47 U.S.C. 154, 301, 302, 303, 309 and 332.

80. Section 24.51, paragraphs (a) and (d) are amended by changing the term "type acceptance" to "certification". All of paragraph (b) and the last sentence of paragraph (c) are deleted, and paragraphs (c) and (d) are redesignated as paragraphs (b) and (c).

Part 26 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 26--GENERAL WIRELESS COMMUNICATIONS SERVICE**

81. The authority section for Part 26 continues to read as follows:

**Authority:** 47 U.S.C. Sections 154, 301, 302, 303, 309 and 332, unless otherwise noted.

82. Section 26.51, paragraphs (a) and (d) are amended by changing the term "type acceptance" to "certification". Paragraph (b) and the last sentence of paragraph (c) are deleted, and paragraphs (c) and (d) are redesignated as paragraphs (b) and (c).

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73--RADIO BROADCAST SERVICES**

83. The authority section for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334.

84. Section 73.53, paragraph (a), paragraph (b) introductory text and paragraph (b)(10) are revised to read as follows:

Section 73.53 *Requirements for authorization of antenna monitors.*

(a) Antenna monitors shall be verified for compliance with the technical requirements in this section. The procedure for verification is specified in subpart J of part 2 of the FCC's Rules.

(b) An antenna monitor shall meet the following specifications:

\* \* \* \* \*

(10) Complete and correct schematic diagrams and operating instructions shall be retained by the party responsible for verification of the equipment and submitted to the FCC upon request. For the purpose of equipment authorization, these diagrams and instructions shall be considered as part of the monitor.

\* \* \* \* \*

85. Section 73.1660 is revised to read as follows:

Section 73.1660 *Acceptability of broadcast transmitters.*

(a) An AM, FM or TV transmitter shall be verified for compliance with the requirements of this part following the procedures described in Part 2 of the FCC Rules.

(b) A permittee or licensee planning to modify a transmitter which has been approved by the FCC or verified for compliance must follow the requirements contained in § 73.1690.

(c) \* \* \*

(d) AM stereophonic exciter-generators for interfacing with approved or verified AM transmitters may be certified upon request from any manufacturer in accordance with the procedures described in part 2 of the FCC Rules. Broadcast licensees may modify their certified AM stereophonic exciter-generators in accordance with § 73.1690.

(e) Additional rules covering certification and verification, modification of authorized transmitters, and withdrawal of a grant of authorization are contained in part 2 of the FCC Rules.

86. Section 73.1665, paragraph (c) is revised to read as follows:

Section 73.1665 *Main transmitters.*

\* \* \* \* \*

(c) A licensee may, without further authority or notification to the FCC, replace an existing main transmitter or install additional main transmitter(s) for use with the authorized antenna if the replacement or additional transmitter(s) has been verified for compliance. Within 10 days after commencement of regular use of the replacement or additional transmitter(s), equipment performance measurements, as prescribed for the type of station are to be completed.

Note: Pending the availability of AM broadcast transmitters that are approved or verified for use in the 1605-1705 kHz band, transmitters that are approved or verified for use in the 535-1605 kHz band may be utilized in the 1605-1705 kHz band if it is shown that the requirements of § 73.44 have been met. Verification or FCC approval of the transmitter will supersede the applicability of this note.

87. Part 74 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 74--EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST  
AND OTHER PROGRAM DISTRIBUTIONAL SERVICES**

88. The authority section for Part 74 continues to read as follows:

**Authority:** Secs. 4, 303, 48 Stat. 1066, as amended, 1082, as amended; 47 U.S.C. 154, 303, 554.

89. Section 74.402, paragraph (h) is amended by changing the term "type accepted" to "certificated".

90. Section 74.451, title, paragraphs (a), (b), (c), (d) and (f) are amended by changing the term "type accepted" to "certificated" and the term "type acceptance" to "certification". The last sentence of paragraph (c) is deleted.

91. Section 74.452, paragraphs (b) and (d) are amended by changing the term "type accepted" with "certificated".

92. Section 74.462, paragraph (a) is amended by changing the term "type accepted" to "certificated", and paragraph (b), footnote 4 is amended by changing the term "type accepted" to "certificated" and the term "Radio Equipment List" to "database".

93. Section 74.550 is revised to read as follows:

*Section 74.550 Equipment authorization.*

Each authorization for aural broadcast STL, ICR, and booster stations shall require the use of equipment which has been certificated or verified. Equipment which has not been approved under the equipment authorization program and which was in service prior to July 1, 1993, may be retained solely for temporary uses necessary to restore or maintain regular service provided by approved equipment, because the main or primary unit has failed or requires servicing. Such temporary uses may not interfere with or impede the establishment of other aural broadcast auxiliary links and may not occur during more than 720 cumulative hours per year.

Should interference occur, the licensee must take all steps necessary to eliminate it, up to and including cessation of operation of the auxiliary transmitter. All unapproved equipment retained for temporary use must have been in the possession of the licensee prior to July 1, 1993, and may not be obtained from other sources. Equipment designed exclusively for fixed operation shall be authorized under the verification procedure. The equipment authorization procedures are contained in subpart J of part 2 of the Rules.

Note: Consistent with the note to § 74.502(a), grandfathered equipment in the 942-944 MHz band and STL/ICR users of these frequencies in Puerto Rico are also required to come into compliance by July 1, 1993. The backup provisions described above apply to these stations also.

94. Section 74.632, paragraph (a) is amended by changing the term "type accepted" to "authorized as required".

95. Section 74.651, paragraph (a)(1) is amended by changing the term "type accepted or notified" to "authorized".

96. Section 74.655 is revised to read as follows:

Section 74.655 *Authorization of equipment.*

(a) Except as provided in paragraph (b), all transmitting equipment first marketed for use under this subpart or placed into service after October 1, 1981, must be authorized under the certification or verification procedure, as detailed in paragraph (f) of this section. Equipment which is used at a station licensed prior to October 1, 1985, which has not been authorized as detailed in paragraph (f) of this section, may continue to be used by the licensee or its successors or assignees, provided that if operation of such equipment causes harmful interference due to its failure to comply with the technical standards set forth in this subpart, the FCC may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference. However, such equipment may not be further marketed or reused under Part 74 after October 1, 1985. Transmitters designed for use in the 31.0 to 31.3 GHz band shall be authorized under the verification procedure.

(b) Certification or verification is not required for transmitters used in conjunction with TV pickup stations operating with a peak output power not greater than 250 mW. Pickup stations operating in excess of 250 mW licensed pursuant to applications accepted for filing prior to October 1, 1980 may continue operation subject to periodic renewal. If operation of such equipment causes harmful interference the FCC may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference.

(c) The license of a TV auxiliary station may replace transmitting equipment with authorized equipment, as detailed under paragraph (f) of this section, without prior FCC approval, provided the proposed changes will not depart from any of the terms of the station or system

authorization or the Commission's technical rules governing this service, and also provided that any changes made to authorized transmitting equipment is in compliance with the provisions of Part 2 of the FCC Rules concerning modifications to authorized equipment.

(d) Any manufacturer of a transmitter to be used in this service may authorize the equipment under the certification or verification procedure, as appropriate, following the procedures set forth in Subpart J of Part 2 of the FCC Rules.

(e) An applicant for a TV broadcast auxiliary station may also authorize an individual transmitter, as specified in paragraph (f) of this section, by following the procedures set forth in Subpart J of Part 2 of the FCC Rules and Regulations

(f) Transmitters designed to be used exclusively for a TV STL station, a TV intercity relay station, a TV translator relay station, or a TV microwave booster station, shall be authorized under verification. All other transmitters will be authorized under the certification procedure.

97. Section 74.735, paragraph (f) amended by changing the term "type accepted" to "certificated".

98. Section 74.750, paragraph (a) is amended by changing the term "listed in the FCC's list of equipment type accepted" to "certificated". Paragraphs (b), (c), (e), (e)(1), (e)(2), (e)(3), (e)(4) and (g) are amended by changing the term "type accepted" to "certificated" and the term "type acceptance" to "certification". The last two sentences of paragraph (e)(1) are deleted.

99. Section 74.751, paragraphs (a) and (b)(1) are amended by changing the term "type accepted" to "certificated".

100. Section 74.851, title, paragraphs (a), (b), (c), (e) and (f) are amended by changing the term "type accepted" to "certificated" and the term "type acceptance" to "certification". The last sentence of paragraph (c) is deleted.

101. Section 74.852, paragraph (a) is amended by changing the term "type accepted" to "certificated".

102. Section 74.861, paragraph (b) is amended by changing the term "type accepted" to "certificated", and the term "type acceptance" to "certification".

103. Section 74.938 is amended by changing the term "type accepted" to "certificated", and the term "type acceptance" to "certification".

104. Section 74.939, paragraph (j) is amended by changing the term "type acceptance" to "certification".

105. Section 74.950, paragraph (f) is amended by changing the term "type accepted" to "certificated".

106. Section 74.951, paragraph (a) is amended by changing the term "type accepted" to "certificated".

107. Section 74.952, introductory text and paragraph (a) are amended by changing the term "type accepted" to "certificated", and the term "type acceptance" to "certification". The introductory text is redesignated as paragraph (a), and paragraph (a) is redesignated as paragraph (b).

108. Section 74.1235(e) is amended by changing the term "type-accepted" to "certificated".

109. Section 74.1250 is revised to read as follows:

*Section 74.1250 Transmitters and associated equipment.*

(a) FM translator and booster transmitting apparatus, and exciters employed to provide a locally generated and modulated input signal to translator and booster equipment, used by stations authorized under the provisions of this subpart must be certificated upon the request of any manufacturer of transmitters in accordance with this section and subpart J of part 2 of this chapter. In addition, FM translator and booster stations may use FM broadcast transmitting apparatus verified or approved under the provisions of part 73 of this chapter.

(b) Transmitting antennas, antennas used to receive signals to be rebroadcast, and transmission lines are not subject to the requirement for certification.

(c) The following requirements must be met before translator, booster or exciter equipment will be certificated in accordance with this section:

\* \* \* \* \*

110. Section 74.1251, paragraph (a) is amended by changing the term "type accepted" to "certificated", and "§ 2.1001" to "Part 2". Paragraph (b) is amended by changing the term "type accepted" with "certificated".

Part 78 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 78--CABLE TELEVISION RELAY SERVICE**

111. The authority section for Part 78 continues to read as follows:



**Authority:** Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

112. Section 78.107 is amended by deleting paragraph (a) and redesignating paragraphs (b), (c), (d) and (e) as paragraphs (a), (b), (c), (d). The new paragraphs (a) and (a)(2) are revised to read as follows:

Section 78.107 *Equipment and installation.*

(a) Applications for new cable television relay stations, other than fixed stations, will not be accepted unless the equipment specified therein has been certificated. In the case of fixed stations, the equipment must be authorized under verification procedure for use pursuant to the provisions of this subpart. Transmitters designed for use in the 31.0 to 31.3 GHz band shall be authorized under the verification procedure.

(1) \* \* \*

(2) Neither certification nor verification is required for the following transmitters:

\* \* \* \* \*

113. The Alphabetical Index to Part 78 is amended by deleting the entry for "Equipment list, Type accepted", and changing the entry for "Type accepted equipment" to "Certificated equipment".

Part 80 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 80--STATIONS IN THE MARITIME SERVICES**

114. The authority citation for Part 80 continues to read as follows:

**Authority:** Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

115. Section 80.29, paragraph (a) table is amended by changing the term "type-accepted" to "authorized".

116. Section 80.43 is amended by changing the term "type accepted" to "authorized".